

REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed October 21, 2005. Claims 1-5, 11, 12 and 15 stand rejected. In this Amendment, claims 1, 11 and 15 have been amended. No new matter has been added.

The Examiner rejected claims 1-5, 11-12 and 15 under 35 U.S.C. §103(a) as being unpatentable over Fisher, (U.S. Patent No. 6,243,691, hereinafter "Fisher"), and further in view of Odom, et al., (U.S. Patent No. 6,058,379, hereinafter "Odom").

Fisher discloses a mechanism for conducting a multi-person, interactive auction, without using a human auctioneer to conduct the auction. Bids placed by bidders are recorded, and the bidders are updated with the current auction status information. When appropriate, the auction may be closed from further bidding, and the winning bidders and losers may be notified as to the auction outcome.

Contrary to the presently claimed invention, Fisher discloses that a "bidder places a bid for the maximum amount they are willing to pay" (Fisher, col. 12, lines 38-39). That is, in Fisher, a bidder has to specify the amount of the bid. In the presently claimed invention, in contrast, the bidder specifies an adjustment of the bid without entering the amount of the bid. Furthermore, Fisher does not teach or suggest setting a bid adjustment value based on the bidder-specified adjustment to adjust the bid, as claimed in the present invention. Accordingly, Fisher does not teach or suggest the features of the present invention that are included in the following language of claim 1:

- ... (a) displaying a bid adjustment mechanism configuration interface that allows a bidder to specify an adjustment for a bid without entering an amount of the bid; and
- (b) setting a bid adjustment value for the bid adjustment mechanism based on the adjustment specified by the bidder using the configuration interface, such that when the bid adjustment mechanism is actuated, a bid is adjusted by the bid adjustment value set in the configuration interface.

Similar language is also included in claims 11 and 15. Thus, the present invention as claimed in

claims 1, 11 and 15, and their corresponding dependent claims, is patentable over Fisher.

Odom does not help Fisher to render the present invention unpatentable because Odom lacks the same features that are missing from Fisher. Thus, the present invention as claimed in claims 1, 11 and 15, and their corresponding dependent claims, is patentable over Odom and Fisher, taken alone or in combination.

Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. §103(a). Applicant furthermore submits that all pending claims are in condition for allowance, which action is earnestly solicited.

Deposit Account Authorization

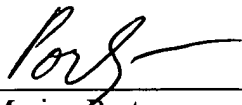
Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

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